

*REMARKS*

Claims 1-10 and 13-17 remain pending in the present application, claims 11, 12, and 18-23 having been withdrawn by the Examiner. Claims 1 and 13 have been amended to present the claim in better form for consideration. The Examiner withdrew claims 11, 12, and 18-23 in a previous Office Action. As indicated in a prior response, claims 1-9 are generic to all species. The Examiner is requested to reinstate claims 11, 12, and 19-21 in the event claim 1 or 9 is found allowable and do an Examiner's amendment to change the dependency of claims 19-21 to be dependent from claim 11.

*35 U.S.C. §102 Rejections*

It is axiomatic in the patent law that to reject a claim under 35 U.S.C. §102, each and every limitation must be found, expressly or inherently, in a single reference and arranged as required by the claims such that the reference discloses the identical invention. *See* MPEP § 2131.

The Examiner rejected claims 1-3, 5-10, 13, and 16-17 under 35 U.S.C. §102(b) as being anticipated by Damron (U.S. Patent Number 5,271,605) in the previous office action. This ground of rejection is respectfully traversed. Reconsideration of this rejection in view of the following comments is respectfully solicited.

Independent claim 1 requires, *inter alia*, that the means for passing wire is attached to the inner edge of the aperture such that wire can be slid through the aperture at any point around the inner edge while being pressed against the first side of the plate and parallel to the second side of the plate without damage to the wire and that the means safely passes wire through the aperture at any angle in relation to a routing component without damage to the wire.

Independent claim 13 requires, *inter alia*, that the at least one roller that is rotatably attached to the inner edge such that wire can be slid through the aperture at any point around the inner edge while being pressed against the first side of the plate and parallel to the second side of the plate without damage to the wire safely passes wire through the aperture at any angle in relation to the routing component without damage to the wire.

Support for the amendment to the claims is in the drawings and the specification. Figures 1-4 of the application show that the means for passing wire is attached to an inner edge of the aperture. Since the means for passing wire and the rollers are shown attached to each inner edge, wire may be safely passed through the aperture at any angle in relation to the

routing component, including being pressed against the plate, without damaging the wire. The rollers prevent the wire from scraping the edges of the aperture. The term "at any angle in relation to a routing component" clearly means all possible angles, not just one or two angles that the Examiner has pointed out. The present invention allows wires to be passed at every angle around the aperture. If the aperture is circular, the wire can be passed through the aperture at any point along the circumference of the circle without being damaged – in other words, at all possible angles around the aperture. Similarly, if the aperture is rectangular, the invention allows wires to be passed through the aperture along any point of the sides of the rectangular aperture, including the corners. It is well known that the edges of routing components such as junction boxes, edges of electrical outlets, edges of the device of Damron '605, and other receptacles where the edges come into direct contact with the wire will damage a wire because the wire chafes or scrapes on the edge. In other words, pulling a wire at any angle in such boxes causes the wire to chafe on the edge, thereby damaging the wire.

Damron '605 teaches a guide pulley that is affixed in a frame that is dimensioned to fit within a standard electrical outlet. The guide pulley has a spring located mounting mechanism that is mounted in apertures that allow for positioning the guide pulley to the nearest position such that wire from the conduit to the guide pulley is the closest to being nearest to 180 degrees (i.e., is in the same plane as the centerline of the conduit that is attached to the box) as shown in Fig. 4 of Damron '605. Damron '605 teaches at column 3, lines 3-12, that the wire is pulled straight forward in a line perpendicular to the wall or floor in which the outlet box is mounted and that the pulley is positioned at the optimum point where the wire has the least frictional contact with parts of the outlet box. Damron '605 also teaches at column 5, lines 18-21, that the bend of the wire is kept to a minimum with the wiring held in non-contacting relationship with the edges of the conduit or any other structures in the receptacles that may cause damage. This teaches away from wire being slid through the aperture at any point around the inner edge while being pressed against the side of the plate without damaging the wire. Furthermore, the guide pulley of Damron '605 is clearly not attached proximate to the inner edge of the aperture – it is offset as the bias axles 20 of which the guide pulley is attached are not attached to adjacent to an inner edge of the aperture as clearly shown in Figures 1, 2, 4, and 7 of Damron '605. Instead, the guide pulley is attached to a wall 42 away from the plate.

As previously indicated, Damron '605 specifically teaches away from passing wire through the aperture at any angle in relation to the routing component such as the conduit of Damron '605. The Examiner states that Fig. 5 of Damron '605 shows a wire is safely passed

at another angle than a first angle. While Damron '605 may show that the wire is safely passed at some angles, it does not teach or even suggest that the wire may be safely passed without damage to the wire while the wire is pressed against the plate 32 as required by the independent claims and as can be seen in the drawings and specification of the instant invention. For example, it can be seen in Figs. 1 and 3 of the present invention that wire can be passed through the aperture at any angle, even at the corners or parallel to an axis of the wire passing means while being pressed against plate 20. Damron '605 teaches away from the wire being pressed against the plate. With the device of Damron '605, the wire cannot be pulled at an angle while being pressed against the plate of Damron '605 (parallel to the bias axes 20) without the wire scraping on the edge of the device of Damron '605. Therefore, Damron '605 cannot safely pass a wire through the aperture as required by the independent claims.

The word "proximate" means near or adjacent. The Examiner also states that the wire passing means 18 of Damron '605 is attached to the inner edge as shown in Fig. 4 of Damron '605. As defined in the claims, the inner edge is along the thickness of the plate (e.g., plate 20 of the instant application). Fig. 4 of Damron '605, as well as Figs. 1, 3, and 7 show that the guide pulley 18 is attached to the inner walls of the raised portion 42 of the rectangular portion of device 10 of Damron '605 as clearly shown in FIG. 3 of Damron '605 and the corresponding text in the specification. It is respectfully submitted that while a wall may have an edge, the wall itself is not an edge. Clearly, it can be seen that the mechanism 18 of Damron '605 is located on a wall and not located near or adjacent an inner edge of the aperture as required by the claims, and as shown in the present application (e.g., see Fig. 2 of the application).

In view of the foregoing, it is respectfully submitted that Damron '605 does not teach or suggest all of the elements of independent claims 1 or 13. Claims 2-3, 5-10, 13, and 16-17 depend from claim 1 or 13 and are believed to be patentable for the reasons set forth for claims 1 and 13. Therefore, it is respectfully submitted that claims 1-3, 5-10, 13, and 16-17 are in condition for allowance and respectfully request the Examiner withdraw any rejections of claims 1-3, 5-10, 13, and 16-17.

### *35 U.S.C. §103 Rejections*

To establish a prima facie case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one skilled in the art, to modify the reference or combine teachings. Any proposed modification

cannot render the prior art unsatisfactory for its intended purpose or change the principle of operation of a reference. There must be a reasonable expectation of success and the prior art references must teach or suggest all of the claim limitations. See M.P.E.P. §2143.

Conclusory statements cannot be relied on when dealing with particular combinations of prior art and specific claims. The rationale for combining references must be put forth. *In re Lee*, 61 U.S.P.Q.2d 1430, 1433. The Examiner can satisfy the burden of showing obviousness of the combination "only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references".

The Examiner has rejected claim 4 as being unpatentable over Damron '605. This ground of rejection is respectfully traversed. Reconsideration of this rejection in view of the following comments is respectfully solicited.

Claim 4 depends from claim 1 and is believed to be patentable for the same reasons as claim 1. It is therefore respectfully requested that the Examiner withdraw the rejection of claim 4.

The Examiner has rejected claims 14-15 as being unpatentable over Damron '605. This ground of rejection is respectfully traversed. Reconsideration of this rejection in view of the following comments is respectfully solicited.

Claims 14 and 15 depend from claim 13 and are believed to be patentable for the same reasons as claim 13. Additionally, Damron '605 teaches a pulley, which the Examiner considers to be a roller, that is mounted in apertures that are offset from the opening of Damron '605 and mounted such that wire from the conduit to the guide pulley is the closest to being nearest to 180 degrees (i.e., is in the same plane as the centerline of the conduit that is attached to the box) as shown in Fig. 4 of Damron '605. This clearly teaches away from the "roller" of Damron '605 being adjacent the inner edge. Furthermore, the apertures are only on two walls of the tile wall cover box 10 of Damron '605. The roller of Damron '605 cannot be placed in a position on the other walls as that would not allow the wire from the conduit to the guide pulley to be anywhere near 180 degrees as taught by Damron '605. Such a modification would render Damron '605 unsuitable for its intended purpose and change the principle of operation of Damron '605. MPEP §2143.01 prohibits modifications such as the modification of Damron '605 because it changes the principle of operation and it also renders the prior art unsatisfactory for its intended purpose.

Additionally, the four rollers are not mere duplication of the essential working parts of a device as the Examiner states. The four rollers are required so that the wire can be safely passed through the aperture at any angle in relation to the routing component, including being

In re Appln. Of: James C. Manning  
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pressed against the plate, without damage to the wire. If fewer than four rollers were used, wire could not be passed through the aperture at any angle without damaging the wire. Therefore, the four rollers are not mere duplications of the essential working parts of a device

In view of the foregoing, it is respectfully requested that the Examiner withdraw the rejection of claims 14 and 15.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. Note that the Applicant is an independent inventor with limited funds. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney to discuss and suggest any amendments to pass this application to issue.

Respectfully submitted,



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